

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Status of Claims:

No claims are currently being canceled or added.

Claims 1, 15 and 17-20 are currently being amended.

This amendment amends claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-12, 15-21 and 24 are pending in this application.

Claim Rejections – 35 U.S.C. § 112, 2nd Paragraph:

In the Office Action, claims 1, 15 and 17-20 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite, because the feature “without using the user interface” is unclear. In response, the claims have been amended to clarify that this feature is a part of the recitation for automatically setting setup data or input data into a portable terminal device, as correctly assumed by the Examiner.

Claim Rejections – Prior Art::

In the Office Action, claims 1-12, 17, 19 and 24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,796,394 to Wicks in view of U.S. Patent No. 6,243,739 to Schwartz; and claims 15, 16, 18, 20 and 21 were rejected under 35 U.S.C. § 102(e) as being anticipated by Schwartz. These rejections are traversed with respect to the presently pending claims, for at least the reasons given below.

First, in the claimed invention, the other computer device (a notebook PC, for example) already stores setup data or input data (such as option data regarding network connection, option data regarding proxy server, Internet telephone number, email address, URL bookmark data, option data of word processor, etc.) for an application program (such as Web browser, Internet telephone, email handler, word processor, etc.) that is necessary or utilizable in operating the application program by being connected to the computer network

(Internet, for example). That way, the other computer device can operate the application program on the computer network by using the setup data or input data.

Then, the setup data or input data stored in the other computer device is uploaded into a portable terminal device (a portable telephone, for example) locally through a local network (LAN, for example), and then this data is automatically set into the portable terminal device without using the user interface. This data is in a form utilizable by the application program on the portable terminal device, such that subsequently the portable terminal device can operate the application program on the global computer network by using this setup data or input data (see page 33, line 30 to page 35, line 29 of the specification).

In other words, the setup data or input data of the application program that is to be used by the portable terminal device on the global network is locally uploaded from a nearby computer and automatically set into the portable terminal device without requiring any user operation using the user interface.

Because of these features, it is possible to realize an improvement of handling of a user interface or omission of tedious operations in a portable terminal device which has a function for connecting to a prescribed computer network and a function for executing application programs, but which is also associated with poor utilization of a user interface because of its compact or very compact body size (see page 4, lines 17-26 and page 34, lines 23 to page 35, line 17 of the specification).

Now, independent claims 1, 17 and 19 have been amended to clarify that the claimed processing unit uploads a prescribed information that is setup data or input data for the application program stored in the other computer device, and carries out a prescribed processing for automatically setting the setup data or the input data into the portable terminal device without using the user interface, in a form utilizable by the application program on the portable terminal device.

In this regard, page 4 of the Office Action correctly admits that Wicks fails to teach the claimed processing unit, but then the Office Action incorrectly asserts that this feature is disclosed in column 6, lines 35-44 of Schwartz.

However, in column 6, lines 35-44, Schwartz merely discloses that a computer 31 receives hypermedia information from a server 51, translates HTTP information into HDTP information, and sends the result to a remote device 11, or vice versa. In other words, the

computer 31 (corresponding to the claimed other computer device) is merely converting hypermedia information from one protocol to another and relaying it between the server and the remote device.

Accordingly, Schwartz fails to disclose any teaching for locally uploading the setup data or input data of the application program from a nearby computer into the portable terminal device via a local network. Also, Schwartz fails to disclose any teaching for automatically setting the setup data or input data into the portable terminal device without requiring any user operation using the user interface.

Note also that, in the claimed invention, the uploaded data is data as stored in the nearby computer, and the conversion of the uploaded data into a form utilizable by the application program on the portable terminal device is carried out by the processing unit of the portable terminal device, in sharp contrast to Schwartz's remote device which does not carry out any data conversion itself.

Thus, the combination of Wicks and Schwartz fails to teach anything corresponding to the claimed processing unit, and therefore presently pending independent claims 1, 17 and 19 are patentable over the combined teachings of Wicks and Schwartz.

The same argument also applies to the dependent claims 2-12.

Next, independent claims 15, 18 and 20 have been amended to clarify that the claimed processing unit returns a reply containing an identification information for identifying a specified type of application program that exists in the computer device, or a prescribed information related to said specified type of application program that is setup data or input data of the application program stored in the computer device and to be uploaded and automatically set into the portable terminal device without using a user interface, in a form utilizable by the application program on the portable terminal device, via the local network.

Note that the claimed computer device is to be used as a nearby computer that supports a portable terminal device of claim 1.

In this regard, the Office Action incorrectly asserts that the claimed processing unit is disclosed in column 6, lines 35-44 of Schwartz.

However, as already pointed out above, in column 6, lines 35-44, Schwartz merely discloses that a computer 31 receives hypermedia information from a server 51, translates

HTTP information into HDTP information, and sends the result to a remote device 11, or vice versa. In other words, the computer 31 (corresponding to the claimed computer device) is merely converting hypermedia information from one protocol to another and relaying it between the server and the remote device.

Accordingly, Schwartz fails to disclose any teaching for returning a reply containing a prescribed information related to the specified type of application program that is setup data or input data of the application program stored in the computer device, via the local network, such that the setup data or input data can be uploaded via the local network and automatically set into the portable terminal device without using a user interface, in a form utilizable by the application program on the portable terminal device.

Thus, Schwartz fails to disclose or suggest anything corresponding to the claimed processing unit, and therefore presently pending independent claims 15, 18 and 20 are not anticipated by Schwartz.

The same argument also applies to the dependent claim 18 and 21.

Conclusion:

Since all of the issues raised in the Office Action have been addressed in this Amendment and Reply, Applicants believe that the present application is now in condition for allowance, and an early indication of allowance is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorize payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date March 29, 2005

By Phillip J. Articola

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5414
Facsimile: (202) 672-5399

Richard L. Schwaab
Registration No. 25,479

Phillip J. Articola
Registration No. 38,819